



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/648,606	08/25/2003	Richard Harvey	063170.6701	4231

5073 7590 06/02/2008  
BAKER BOTTS L.L.P.  
2001 ROSS AVENUE  
SUITE 600  
DALLAS, TX 75201-2980

EXAMINER
----------

LEWIS, ALICIA M

ART UNIT	PAPER NUMBER
----------	--------------

2164

NOTIFICATION DATE	DELIVERY MODE
-------------------	---------------

06/02/2008

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ptomail1@bakerbotts.com  
glenda.orrantia@bakerbotts.com

<b>Office Action Summary</b>	<b>Application No.</b> 10/648,606	<b>Applicant(s)</b> HARVEY ET AL.	
	<b>Examiner</b> Alicia M. Lewis	<b>Art Unit</b> 2164	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 19 February 2008.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>12/10/07, 2/19/08, 5/5/08, and 5/23/08</u> .                  | 6) <input type="checkbox"/> Other: _____                          |



### **DETAILED ACTION**

This office action is responsive to communication filed February 19, 2008.

Claims 1, 2, 4 and 8 are currently amended. Claims 1-10 are pending in this application.

#### ***Information Disclosure Statement***

1. The information disclosure statements (IDS) submitted on May 23, 2008, May 5, 2008, February 19, 2008, and December 10, 2007 are in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statements are being considered by the examiner.

#### ***Claim Objections***

2. Claim 1 is objected to because of the following informalities: Claim 1 reads, in part, "the processor operable to". This claim language should be changed to, "the processor configured to" to show that the processor is actually programmed to carry out the recited functions. Appropriate correction is required.

3. Claim 8 is objected to because of the following informalities: the phrase "the at least one business entity object" is repeated twice in line 10 of the claim. Appropriate correction is required.

#### ***Claim Rejections - 35 USC § 101***

4. 35 U.S.C. 101 reads as follows:

Art Unit: 2164

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1-6 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The claims represent an abstract idea, directed solely to non-functional descriptive material. When nonfunctional descriptive material is recorded on some computer-readable medium, in a computer or on an electromagnetic carrier signal, it is not statutory since no requisite functionality is present to satisfy the practical application requirement (See MPEP 2106.01).

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-7 are rejected under 35 U.S.C. 102(e) as being anticipated by Gadbois et al. (US Patent Application Publication 2004/0002955 A1) ('Gadbois').

With respect to claim 1, Gadbois teaches a web services directory comprising:  
a computer readable medium (paragraph 8); and

a processor, the processor operable to execute a program of instructions encoded on the computer-readable medium, the program of instructions comprising (paragraphs 5 and 21):

at least one business entity object (elements 232, 242, 252 in Figure 2, paragraphs 28-29); and

at least one user object, wherein the at least one business entity object is arranged under the at least one user object (elements 222 and 224 in Figure 2, paragraphs 27 and 28).

With respect to claim 2, Gadbois teaches the web services directory as recited in claim 1, further comprising:

at least one business service object (element 243 in Figure 2, paragraph 28); and  
at least one binding template object (element 245 in Figure 2, paragraph 28),  
wherein the at least one business service object is arranged under the at least one business entity object, and the at least one binding template object is arranged under the at least one business service object (Figure 2).

With respect to claim 3, Gadbois teaches the web services directory as recited in claim 1, wherein the at least one business entity object is arranged under the at least one user object by virtue of at least one corresponding user child object (elements 222, 232, 242 and 252 in Figure 2, paragraphs 26-28).

With respect to claim 4, Gadbois teaches the web services directory as recited in claim 1, further comprising at least one domain object, wherein the at least one user object is arranged under the at least one domain object (elements 170 and 210 in Figure 2, paragraph 24, paragraph 26, paragraph 27 lines 1-4).

With respect to claim 5, Gadbois teaches the web services directory as recited in claim 1, further comprising apparatus adapted to implement the web services directory, and in which directory services are invoked (paragraphs 21-25).

With respect to claim 6, Gadbois teaches the web services directory as recited in claim 5, wherein the directory services are invoked using at least one of X.500 and LDAP protocols (paragraph 24 lines 8-12, paragraph 26 lines 10-11).

With respect to claim 7, Gadbois teaches a web services system comprising:  
a registry (paragraph 5 lines 19-25) in which businesses may register, the registry comprising a hierarchical directory including at least one business entity object (element 232 in Figure 2) and at least one user object (element 222 in Figure 2), the at least one business entity object being arranged under the at least one user object (Figure 2, paragraphs 25-28); and

a storage system for storing business information and accessible via the hierarchical directory (paragraphs 23, 24 and 26).

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Crohn (US 7,114,154 B1, *priority date 7/26/1999*) in view of Gadbois et al. (US Patent Application Publication 2004/0002955 A1) ('Gadbois').

With respect to claim 8, Crohn teaches a hierarchal object model (column 15 lines 55-61) comprising:

at least one domain object, wherein the at least one domain object comprises a directory prefix name, and the at least one domain object is a root object of the hierarchal directory (element 910 in Figure 9, column 16 lines 5-8);

at least one user object (element 912 in Figure 9), wherein the at least one user object identifies a user account for managing at least one business entity object (element 914 in Figure 9) arranged under the at least one user object (column 16 lines 8-10), and the at least one user object is arranged under the at least one domain object (elements 910 and 912 in Figure 9);

the at least one business entity object (element 914 in Figure 9) comprising at least one business name and at least one business contact, the at least one business contact comprising at least one business address (column 16 lines 9-16).



a storage system for storing business information and accessible via the hierarchical directory (column 8 lines 35-37).

Crohn does not teach a registry in which businesses may register, the registry comprising a hierarchical directory.

Gadbois teaches a registry service (see abstract), in which he teaches a registry (paragraph 5 lines 19-25) in which businesses may register, the registry comprising a hierarchical directory (Figure 2).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Elmore by the teaching of Gadbois because a registry in which businesses may register, the registry comprising a hierarchical directory would enable an efficient means of organizing business information, including relationships with other businesses and publishing entities (Gadbois, paragraph 4).

With respect to claim 9, Crohn as modified teaches:

at least one business service object, wherein the at least one business service object comprises data identifying a technical service, and the at least one business service object is arranged under the at least one business entity object (Gadbois, element 243 in Figure 2, paragraph 28); and

at least one binding template object, wherein the at least one binding template object comprises data identifying a plurality of service specifications, and the at least one binding template object is arranged under the at least one business service object (Gadbois, element 245 in Figure 2, paragraph 28).

With respect to claim 10, Crohn as modified teaches the web services directory as recited in claim 9, the hierarchical directory further comprising at least one tmodel object, wherein the at least one tmodel object comprises a keyed reference to the at least one binding template object, and the at least one tmodel object is arranged under the at least one user object (Gadbois, paragraphs 38-39 and 47).

### ***Response to Arguments***

9. Applicant's arguments with respect to claims 8-10 have been considered but are moot in view of the new ground(s) of rejection.

10. Applicant's arguments filed February 19, 2008 have been fully considered but they are not persuasive.

11. Regarding claims 1-7, applicant argues that organization1 and organization2 may not be considered user objects because they cannot be accessed by a user. Examiner disagrees. Gadbois teaches that information may be stored in the directory server in a tree like structure of that in Figure 2. He further teaches that users may access the registry servers and directory servers through access system 180 (paragraphs 22-23). Thus it is clear that users may access the organization nodes 222 and 224, thus they may be considered user objects. The term "user object" is very broad, and thus may include any object accessible by a user or defining a user. If applicant has a different interpretation of a "user object", the examiner suggests that he further define it in the claims.

12. The 35 U.S.C. 101 rejection of claims 1-6 is upheld. Applicant has amended claims 1 to add that the directory comprises a computer-readable medium, and a processor. However, the claim is still only directed to non-functional descriptive material that does not impart any functionality to a computer or system.

### ***Conclusion***

13. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alicia M. Lewis whose telephone number is 571-272-5599. The examiner can normally be reached on Monday - Friday, 9 - 6:30, alternate Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Rones can be reached on 571-272-4085. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Alicia M Lewis/  
Examiner, Art Unit 2164  
May 26, 2008

/Charles Rones/  
Supervisory Patent Examiner, Art Unit 2164